

RECEIVED
CENTRAL FAX CENTER

APR 19 2007

Attorney Docket No. 249.P2
PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Mark W. Becker

Serial No.: 10/785,497

Group No.: 1657

Filed: February 24, 2004

Examiner: Paul C. Martin

For: Prodrugs of Phosphonate Nucleotide Analogues and
Methods for Selecting and Making SameCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Customer No. 25000

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**Applicant hereby appeals to the Board of Patent Appeals from the last decision of the Examiner
mailed December 19, 2006.

The item(s) checked below are appropriate:

1. STATUS OF APPLICANT

- a small entity - verified statement:
 attached.
 already filed.
 other than a small entity.

CERTIFICATE OF MAILING (37 CFR 1.8 (a))

I hereby certify that this correspondence is being facsimile transmitted to the USPTO (571-273-8300) or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)]

on April 19, 2007Signature D. MacedoTyped or printed name Donna Macedo

04/20/2007 TL0111 00000063 071250 10785497

01 FC:1401 500.00 DA
02 FC:1251 120.00 DA

RECEIVED
CENTRAL FAX CENTER

APR 19 2007

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 CFR 1.17 (e) the fee for filing the Notice of Appeal is:

<input type="checkbox"/> small entity	\$250.00
<input checked="" type="checkbox"/> other than a small entity	\$500.00

Notice of Appeal fee due \$ 500.00

3. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

- (a) Applicant petitions for an extension of time under 37 CFR 1.136 (a) (fees: 37 CFR 1.17 (a)-(d)) for the total number of months checked below:

Extension <u>(months)</u>	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
<input checked="" type="checkbox"/> one month	\$120.00	\$60.00
<input type="checkbox"/> two months	\$450.00	\$225.00
<input type="checkbox"/> three months	\$1,020.00	\$510.00
<input type="checkbox"/> four months	\$1,590.00	\$795.00

Fee \$ 120.00

If an additional extension of time is required please consider this a petition therefor.

- An extension for _____ months has already been secured and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ _____

OR

- (b) Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

RECEIVED
CENTRAL FAX CENTER

APR 19 2007

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$ 500.00

Extension fee (if any) \$ 120.00

TOTAL FEE DUE \$ 620.00

5. FEE PAYMENT

Attached is check in the sum of \$ _____.

Charge Account No. 07-1250 the sum of \$ 620.00

A duplicate of this transmittal is attached.

6. FEE DEFICIENCY

If any additional extension and/or fee is required,
charge Account No. 07-1250

AND/OR

If any additional fee for claims is required,
charge Account No. 07-1250

Reg. No. 27,043

Tel. No.: (650) 522-5535


SIGNATURE OF ATTORNEY
Max D. Hensley
Type or print name of attorney
Gilead Sciences, Inc.
333 Lakeside Drive
P.O. Address
Foster City, CA 94404